

**IN THE UNITED BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: Maria Gloria Lazo	§ § § § §	CASE NO: 10-41037-H4-13
Debtor(s)		CHAPTER 13

DEBTOR(S)' MOTION TO MODIFY CONFIRMED PLAN

The Debtor(s) file this Motion to Modify their confirmed plan.

Notice of Time to Object and Notice of Hearing.

IF YOU WANT A HEARING, YOU MUST REQUEST ONE IN WRITING AND YOU MUST RESPOND SPECIFICALLY TO EACH PARAGRAPH OF THIS PLEADING. YOU MUST FILE YOUR OBJECTION WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY ONE DAYS (21) FROM THE DATE YOU WERE SERVED AND GIVE A COPY TO THE PERSON WHO SENT YOU THE NOTICE. OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF.

IF A PARTY REQUESTS EMERGENCY CONSIDERATION, THE COURT MAY ACT EXPEDITIOUSLY ON THE MATTER. IF THE COURT ALLOWS A SHORTER RESPONSE TIME THAN TWENTY ONE (21) DAYS, YOU MUST RESPOND WITHIN THAT TIME. IF THE COURT SETS AN EMERGENCY HEARING BEFORE THE RESPONSE TIME WILL EXPIRE , ONLY ATTENDANCE AT THE HEARING IS NECESSARY TO PRESERVE YOUR RIGHT. IF AN EMERGENCY HEARING IS NOT SET, YOU MUST RESPOND BEFORE THE RESPONSE TIME EXPIRES.

IF AN OBJECTION OR RESPONSE IN OPPOSITION TO THIS PROPOSED MODIFICATION IS FILED, THEN A HEARING ON THIS PROPOSED MODIFICATION IS SET FOR HEARING ON April 8, 2013, AT 10:30am AT THE UNITED STATES COURTHOUSE, 515 RUSK AVENUE, COURTROOM 600, 6th FLOOR, HOUSTON, TEXAS, 77002. IF AN OBJECTION IS NOT FILED WITHIN TWENTY ONE (21) DAYS FROM THE SERVICE OF THIS MOTION, THE COURT MAY CONSIDER THIS MOTION WITHOUT THE NECESSITY OF A HEARING.

1. HISTORY OF CASE. This case was filed on ***December 6, 2010***. The plan was confirmed on February 15, 2011. The plan has previously been modified by order(s) entered on the following date: N/A

2. **REASON FOR MODIFICATION.** Debtor is modifying her confirmed Chapter 13 plan to

A). Cure the arrears to the Chapter 13 Trustee, she was unemployed, she is now working full time and will be able to the Chapter 13 plan payments.

3. **PLAN PAYMENTS UNDER CONFIRMED PLAN.** The current plan (as modified through this date) requires payments as follows:

A. Months: 1-60 Payment: \$1,675.00

4. **PAYMENTS PREVIOUSLY MADE.** As of the date this motion was filed, the Debtor(s) have made payments to the Chapter 13 Trustee totaling \$38,330.16. Attached as Exhibit "A" is a schedule of all amounts received by the Chapter 13 Trustee.

5. **FUTURE PROPOSED PLAN PAYMENTS (AS MODIFIED).** The proposed modified plan requires future payments as follows:

A. Months: 1-25 Payment: \$1,512.69

B. Months: 26-26 Payment: \$1,512.91

C. Months: 27-60 Payment: \$1,920.00

6. **CURRENT DEFAULTS.** The Debtor(s) are currently in default on payments to the Chapter 13 Trustee as follows:

Dollar amount in default: \$4,870.51

Number of months in default: 5

Last payment made: 2/15/2013

Amount of last payment: \$1,000.00

7. **PROPOSED PLAN MODIFICATIONS:**

A. All payments set forth in paragraph 6 are cured by this modification.

8. **INTERIM PAYMENTS.** Payments due under this modification will commence on the first due date after this modification is filed, whether or not the modification has yet been approved by the court.

9. **BUDGET.** The Debtor's schedules "I" and "J" that the Debtor(s) request to be considered with this modification are attached as exhibit "B".

10. ATTORNEYS' FEES (Check One):

☒ Debtor(s)' counsel shall be paid \$450.00 as a fixed fee for this modification. This box may not be checked if the modification was proposed within 120 days of the date on which the plan was confirmed.

☐ If Debtor(s)' counsel seeks compensation, a separate application will be filed. If no application is filed, no compensation will be paid.

Dated:

/s/ Maria Gloria Lazo
Signature of Debtor

February 18, 2013
Date

/s/ Kenneth A. Keeling

**Kenneth A. Keeling
Keeling Law Firm
3310 Katy Freeway, Suite 200.
Houston, Texas 77007**

Attorney for Debtor(s)

February 18, 2013
Date

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DEBTOR(S)		

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing Motion to Modify has been served either electronically or by United States First Class Mail on this 19th day of February, 2013 to the following parties and the affected creditors listed below:

UNITED STATES TRUSTEE

United States Trustee
515 Rusk, Ste. 3516
Houston, TX 77002

CHAPTER 13 TRUSTEE

David G. Peake
9660 Hillcroft
Suite 430
Houston, TX 77096

DEBTOR(S)

Maria Gloria Lazo
2022 Wycliffe Drive
Houston, TX 77043

CREDITOR(S)

IRS- Insolvency Section
Stop 5022 Hou
1919 Smith Street
Houston, Texas 77002

IRS- Centralized Insolvency
Operations
P.O. Box 21126
Philadelphia, PA 19114

United States Bankruptcy
Court
PO BOX 61288
Houston, Texas 77208

Afni, Inc.
Po Box 3097
Bloomington, IL 61702

American InfoSource
T-Mobile
PO Box 248848
Oklahoma City, OK 73124

Arrow Financial Services
5996 W Touhy Ave
Niles, IL 60714

Asset Acceptance Llc
Po Box 2036
Warren, MI 48090

B-Line, LLC
Attn: Steven Kane
PO Box 91121
Dept. 550
Seattle, WA 98111

Bac Home Loans Servi
450 American St
Simi Valley, CA 93065

Bosco Credit II Trust Series
c/o Rosicki, Rosicki &
Associates, PC
51 E Bethpage Rd.
Plainview, NY 11803

Capital One, N.a.
Bankruptcy Dept
PO Box 5155
Norcross, GA 30091

Centerpoint Energy Ent
Po Box 1700
Houston, TX 77251

Chase
P.o. Box 15298
Wilmington, DE 19850

Citi Financial Mortgage
Attention: Bankruptcy
Department
PO Box 140069
Irving, TX 75014

Conns Credit Corp
Box 2358
Beaumont, TX 77704

Deutsche Bank National Trust
Company
c/o Franklin Credit
Management Corp.
PO Box 2301
Jersey City, NJ 07303

East Bay Funding, LLC
c/o Resurgent Capital Services
PO Box 288
Greenville, SC 29603

eCast Settlement Corporation
POB 29262
New York, NY 10087-9262

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104

GE Money Bank
c/o Recovery Management
Systems
25 SE 2nd Ave., Ste. 1120
Miami, FL 33131-1605

GMAC Mortgage, LLC
Attn: Bankruptcy Dept.
1100 Virginia Drive
Fort Washington, PA 19034

Harris County
Don Sumners - Tax Assessor
P. O. Box 4622
Houston, Tx 77210-4622

Internal Revenue Service
1919 Smith Street
STOP 5022 HOU
Houston, TX 77002

Jefferson Capital Systems, LLC

PO Box 7999
Saint Cloud, MO 64602-9617

Keeling Law Firm
3310 Katy Freeway
Suite 200
Houston, Texas 77007

Nco Fin/38
Po Box 13564
Philadelphia, PA 19101

Nco/inovision-medcl
Attn: Bankruptcy
507 Prudential Rd
Horsham, PA 19044

Retail Merch
3830 Hwy 365
Port Arthur, TX 77642

RJM Acquisitions Funding,
LLC
575 Underhill Blvd., Ste. 224
Syosset, NY 11791

Sams Club
Attention: Bankruptcy
Department
PO Box 105968
Atlanta, GA 30353

Sky Rcvry Services
12000 Westheimer
Houston, TX 77077

Spring Branch I.S.D.
Tax Assessor - Collector
P.O. Box 19037
Houston, TX 77224-9037

Tracy D. Fink
Pite Duncan, LLP
4375 Jutland Dr., Ste. 200
PO Box 17933
San Diego, CA 92177-0933

Wells Fargo Bank, N.A.
4137 121st St
Urbendale, IA 50323

Wilshire Credit Corp
Attention: Bankruptcy
Department CA6-91
PO Box 5170
Simi Valley, CA 93062

Respectfully submitted,
KEELING LAW FIRM

/s/ Kenneth A. Keeling

ATTORNEY FOR DEBTOR(S)